



Board of Nursing

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

February 17, 2022

The Honorable Paul G. Pinsky
Chair, Education, Health, and Environmental Affairs Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401-1991

RE: SB 523 – Occupations and Professions – Licenses, Certificates, and Registration – Immigrants – Letter of Information

Dear Chair Pinsky and Committee Members:

The Maryland Board of Nursing (the Board) respectfully submits this letter of information for Senate Bill (SB) 523 – Occupations and Professions – Licenses, Certificates, and Registration – Immigrants. This bill prohibits a state occupational or professional licensing board from denying an occupational or professional license, certification, or registration to an immigrant if the individual meets certain requirements.

Currently, section 10-119.3 of the Family Law Article of the Maryland Annotated Code (Md. Code Ann.) requires a licensing authority to require an individual to disclose a Social Security Number (SSN) on an application¹. Additionally, Title 8 of the Maryland Health Occupations, Md. Code Ann. requires that a Nurse Licensure Compact (NLC) party state obtain a valid United States SSN for an individual who has submitted an application for multistate licensure.² Under existing law, the Board is required to collect and verify SSNs submitted as part of the licensure and certification process. If an individual does not provide a SSN, their application will be denied even if they have met all education and training criteria. The current SSN requirement listed in section 10 prohibits a number of immigrants, with lawful status and residence, from joining the healthcare workforce. The Board believes the intent of SB 523 is to expand the ability of immigrants to work. However, the current inconsistencies would exclude immigrants who have lawfully obtained an Individual Taxpayer Identification Number.

An Individual Taxpayer Identification Number (ITIN) is a tax-processing number issued by the Internal Revenue Service (IRS) to ensure that non-resident individuals (such as spouses of U.S. citizens or lawful permanent residents) pay taxes regardless of their immigration status.³ Individuals who are lawfully present in the U.S. but who may not be eligible for a SSN must obtain an ITIN. The IRS states, however, that an ITIN does not automatically provide work

¹ Family Law – Title 10 – Subtitle 1 - § 10-119.3(b)(1). Suspension or Denial of Occupational License for Arrearages.

² Nurse Licensure Compact (page 4). National Council of State Boards of Nursing.

³ ITIN (Individual Taxpayer Identification Number). Internal Revenue Service (IRS).

authorization. Additional documentation must be submitted by the individual to receive clearance for employment.

For the reasons discussed above, the Board of Nursing respectfully submits this letter of information for SB 523.

I hope this information is useful. For more information, please contact Iman Farid, Health Policy Analyst, at (410) 585 – 1536 (iman.farid@maryland.gov) or Rhonda Scott, Deputy Director, at (410) 585 – 1953 (rhonda.scott2@maryland.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Hicks', with a long horizontal flourish extending to the left.

Gary N. Hicks
Board President

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.